THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4523 of 2006

27.3.2006

Between:

Y.Nageswar Rao, S/o.Ramaswamy

… Petitioner

AND

The Special Grate Deputy Collector and R.D.O.,
East Division (R.R.District) Malakunta Road,

Goshamahal, Hyderabad

And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4523 of 2006

ORDER:

The petitioner was assigned land admeasuring Acs.2.00 in survey No.130/6 situated at Ponnala Village of Shameerpet Mandal in Ranga Reddy District, allegedly in the year 1984-1985. He claims that he fathered two daughters. So as to arrange their marriages, he wanted to sell away the property, which is not permissible under the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity). However, he approached the District Collector seeking direction to alienate the land. By an order dated 27.8.2005, the Special Grade Deputy Collector informed the Mandal Revenue Officer that the alienation by the petitioner cannot be permitted in view of the provisions of the Act. In spite of the same, the petitioner filed present writ petition seeking a writ of Mandamus directing the respondents herein, namely, Special Grate Deputy Collector and Revenue Divisional Officer, Ranga Reddy District and the Mandal Revenue Officer, Shameerpet to issue 'No objection certificate' to alienate the land.

After hearing the learned Counsel for petitioner and learned Assistant Government Pleader, this Court is convinced that a Mandamus as sought to be issued is contrary to the provisions of the Act. Such a Mandamus cannot be issued. Indeed, as admitted by both the Counsel, there is no such provision in law, which enable any of the authority to permit transfer of assigned land either by way of sale, mortgage or gift, except that the law enables an assignee to mortgage the land to get agricultural

loan from a Co-operative bank.

The Writ petition is, therefore, dismissed. No costs.

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(**V.V.S.RAO,J**)

March 27, 2006.

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